

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-7391

MICHAEL O. DEVAUGHN, a/k/a Michael Owen
Devaughn,

Petitioner - Appellant,

versus

UNITED STATES OF AMERICA,

Respondent - Appellee.

Appeal from the United States District Court for the District of
South Carolina, at Charleston. Margaret B. Seymour, District
Judge. (CA-01-4349-2-24)

Submitted: January 29, 2004

Decided: February 5, 2004

Before WILKINSON, MICHAEL, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Michael O. DeVaughn, Appellant Pro Se. Barbara Murcier Bowens,
OFFICE OF THE UNITED STATES ATTORNEY, Columbia, South Carolina, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Michael O. DeVaughn, a federal prisoner, appeals the district court's order denying his motion under Fed. R. Civ. P. 60(b) to amend the court's earlier order denying relief on his petition filed under 28 U.S.C. § 2241 (2000).^{*} We have reviewed the record and find that DeVaughn failed to establish grounds for relief under Rule 60(b). Accordingly, we affirm and deny DeVaughn's motion to compel the Government to respond. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED

^{*}The district court's order accepted the recommendation of the magistrate judge to deny the § 2241 petition.